

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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ROBERT HUBER,

Petitioner,

v.

Case No. 10-C-435

JEFF PUGH,

Respondent.

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**ORDER**

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On May 20, 2010, Robert Huber filed this petition pursuant to 28 U.S.C. §§ 2241 and 2254, asserting that his state court revocation was imposed in violation of the Constitution. Huber's claims have already been considered at some length. Nevertheless, Petitioner has moved for reconsideration. He asserts that the AEDPA rules governing timeliness should not apply because he had been asserting that his judgment was void. He also argues the merits of his petition. Neither of these arguments persuades me that the petition filed here was timely. As noted in my order dismissing the petition, even after a generous application of the equitable tolling doctrine the petition would still be late. The motion for reconsideration is **DENIED**. The Petitioner has also filed a motion seeking leave to appeal *in forma pauperis*. That motion is **GRANTED** and the filing fee is **WAIVED**, as it appears Petitioner has no assets and an appeal would not be in bad faith.

**SO ORDERED** this 28th day of June, 2011.

s/ William C. Griesbach  
William C. Griesbach  
United States District Judge